

Avista Corp.
1411 East Mission P.O. Box 3727
Spokane, Washington 99220-0500
Telephone 509-489-0500
Toll Free 800-727-9170



May 5, 2005

Via email and U.S. Mail

Oregon Public Utility Commission
Attn: Filing Center
550 Capitol St. NE, #215
PO Box 2148
Salem, OR 97308-2148

Re: **DOCKET UG 163: In the Matter of Northwest Natural's Petition to Commence Investigation**

Petition to Intervene of Avista Corporation

Enclosed please find an original and five copies (sent via U.S. Mail) of Avista Corporation's Petition to Intervene in the above-referenced docket.

Please contact me if you have any questions.

Sincerely,

David Meyer
VP, Chief Counsel for Regulatory
and Governmental Affairs

enclosures

cc: UG 163 Service List

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

In the Matter of)
NORTHWEST NATURAL Petition to)
Commence Investigation) UG 163

**PETITION TO INTERVENE OF
AVISTA CORPORATION**

Pursuant to Oregon Administrative Rule 860-013-0021, Avista Corporation (Avista) hereby files this Petition to Intervene as a Party in the above-referenced Public Utility Commission of Oregon (Commission) proceeding. In support of this filing, Avista respectfully states as follows:

1. The name and address of the Petitioner is:

Avista Corporation
PO Box 3727
1411 E. Mission
Spokane, WA 99220-3727

2. The names and addresses of Petitioner's authorized representatives to receive communications and be placed on the service list for this docket are:

David Meyer
Avista Corp.
VP, Chief Counsel for
Regulatory and Gov. Affairs
PO Box 3727
1411 E. Mission
Spokane, WA 99220-3727
Phone: (509) 495-4316
Fax: (509) 495-8851
Email: [david.meyer@avistacorp.com](mailto: david.meyer@avistacorp.com)

Brian Hirschorn
Avista Corp.
Manager Retail Pricing
Rates and Tariffs
PO Box 3727
1411 E. Mission
Spokane, WA 99220-3727
Phone: (509) 495-4723
Fax: (509) 495-8058
Email: [brian.hirschorn@avistacorp.com](mailto: brian.hirschorn@avistacorp.com)

3. The nature and extent of Petitioner's interest in the proceeding is as follows:

Avista provides electric and natural gas service within a 26,000 square mile area of eastern Washington and northern Idaho. The Company also provides natural gas distribution service in southwestern and northeastern Oregon. Of the Company's 331,000 electric and 305,000 natural gas customers (at year end 2004), over 87,000 were Oregon customers. As described below, the Company has a direct interest in the future application of decoupling mechanisms to natural gas distribution companies within this jurisdiction.

4. The issues Petitioner intends to raise at the proceeding:

On March 31, 2005, Northwest Natural Gas Company filed a Petition to Commence Investigation with the Commission, in order to evaluate the continuation of its Distribution Margin Normalization (DMN) Tariff beyond September 30, 2005. At issue is whether it should be allowed to continue its "partial decoupling mechanism," with or without modifications. For its part, Avista has a substantial interest in the outcome of this proceeding and may be affected by the resolution of issues therein, insofar as the future application of decoupling mechanisms is addressed. Avista submits that its participation will not unreasonably broaden the issues, burden the record, or unnecessarily delay the proceeding. (See, OAR 860-012-001)

WHEREFORE, Avista respectfully requests that this Petition to Intervene as a Party be granted.

DATED: this 5th day of May, 2005

Respectfully submitted,

David Meyer
VP, Chief Counsel for Regulatory &
Governmental Affairs
(See Attached Certificate For Pro Hac Vice Admission)

CERTIFICATE OF SERVICE

I hereby certify that I served a true copy of the foregoing **Petition to Intervene** on the following name person(s) on the date indicated below via e-mail, addressed to said person(s) as indicated below.

Margie Harris
Energy Trust of Oregon
margie.harris@energytrus.org

Jason Eisdorfer
Citizens' Utility Board of Oregon
jason@oregoncub.org

Ralph Cavanagh
Natural Resources Defense Council
rcavanagh@nrdc.org

Tom Singer
NRDC
tsinger@nrdc.org

Kraig Ludwig
Community Action Agency
of Yamhill County
kludwig@onlinemac.com

Paul E. Pyron
Northwest Industrial Gas Users
ppyron@nwigu.org

Steven Weiss
Northwest Energy Coalition
steve@nwenergy.org

Phil Carver
Oregon Department of Energy
Philip.h.carver@state.or.us

Bryan Conway
Public Utility Commission of Oregon
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Edward A. Finklea
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Kevin McVay, ksm@nwnatural.com
Grant Yosihara, gmy@nwnatural.com

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Alex Miller, c2m@nwnatural.com
Joe Ross, j3r@nwnatural.com
Frank Ferguson, fpf@nwnatural.com
C. Alex Miller, alex.miller@nwnatural.com

DATED: May 5, 2005

Nancy L. Watkins
Rates and Regulatory Affairs
Avista Corporation
PO Box 3727
1411E. Mission
Spokane, WA 99220-3727
(509) 495-4346

In re: David J. Meyer
Name of Out-of-State Attorney

Certificate of Compliance For Pro Hac Vice Admission

I, David J. Meyer (print name), am an attorney in the State of Washington and I intend to seek pro hac vice admission in accordance with ORS 9.241 and UCR 3.170 in the following Oregon court action or proceeding:

Case Name: In the Matter of Northwest Natural's Petition to Commence Investigation


Court: Oregon Public Utility Commission

Case No.: Docket No. UG 163

I certify that (check all that apply):

- I am an attorney in good standing in the State of Washington, as evidenced by the attached good standing certificate issued by the licensing authority in that state.
- I am not subject to any pending disciplinary proceedings in any jurisdiction; or
- I am subject to pending disciplinary proceedings in another jurisdiction, the nature and status of which are described in an attachment to this certificate.
- I intend to associate in the above-referenced action or proceeding with Ausey H. Robnett III, OSB No. 79364, an active member in good standing of the Oregon State Bar, who will participate meaningfully in the matter.
- I will comply with applicable statutes, laws, and procedural rules of the State of Oregon; be familiar with and comply with disciplinary rules of the Oregon State Bar; and submit to the jurisdiction of the Oregon courts and Oregon State Bar with respect to acts and omissions occurring during my pro hac vice admission.
- My private law practice activities in Oregon are covered by professional liability insurance substantially equivalent to the Oregon State Bar Professional Liability Fund plan, as evidenced by the attached certificate of insurance coverage.
- I agree, as a continuing obligation of pro hac vice admission, to notify the trial court promptly of any changes in my insurance coverage, or my admission or disciplinary status in any other jurisdiction.
- I will provide to the Oregon State Bar a copy of the order admitting me pro hac vice in the above-referenced matter when such an order is granted. In the event pro hac vice admission is revoked for any reason, I will promptly notify the Oregon State Bar.
- I submit \$250 to the Oregon State Bar as payment of the pro hac vice fee established by ORS 9.241 and the rules of the Oregon Supreme Court. I acknowledge that this fee is for a period of twelve months from the date of the Acknowledgment of Receipt issued below, and that an additional fee of \$250 will be required in order for me to continue my pro hac vice admission in the matter for every twelve-month period thereafter. (No fee is required with respect to appearance before the OPUC)

Dated this 5th day of May, 2005

X 
(Applicant Signature)

Mailing Address: P.O. Box 3727
Spokane, WA 99220

Washington Bar No.: 8717
(Home Jurisdiction)

Phone: (509) 495-4316
FAX: (509) 495-8851
Email: david.meyer@avistacorp.com

Acknowledgment of Receipt

I, Jeffrey D. Sapiro, Regulatory Services Counsel of the Oregon State Bar, acknowledge receipt from the above-named out-of-state attorney of the Certificate of Compliance for Pro Hac Vice Admission and attachments, and the \$250 fee for pro hac vice appearance in the above-referenced Oregon action or proceeding. The fee is for a period of twelve months from the date of this acknowledgment.

Dated this _____ day of _____, 20____.

SEE MATERIALS ATTACHED:

(Not Applicable)

Note: Mr. Meyer is in-house counsel and therefore does not carry professional liability insurance for private practice.

Jeffrey D. Sapiro, Regulatory Services Counsel

STATUS CERTIFICATE

This certifies that

DAVID JOHN MEYER

was admitted to the Bar of the State of Washington on October 27, 1978, has been an active member since admission, and has complied with all requirements of the Washington State Bar Association for payment of licensing fees and attendance at continuing legal education programs.

Dated as of May 4, 2005.



M. Janice Michels
Executive Director

Washington State Bar Association
2101 Fourth Avenue, Suite 400
Seattle, WA 98121-2330
206-443-WSBA

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Ausey H. Robnett III

May 4, 2005


ATTN: ALJ Kathryn Logan
Hearings Division
Oregon Public Utility Commission
550 Capitol St. NE #215
P.O. Box 2148
Salem, OR 97308-2148

**Re: Request of David J. Meyer to Appear Pro Hac Vice on Behalf of Avista
Corporation in Docket No. UG 163**

Dear Judge Logan:

I am an active member in good standing of the Oregon State Bar (OSB No. 79364).

David Meyer intends to associate with me in the above-referenced matter on behalf of Avista Corporation, as well as in other matters that may come before the Commission, and I hereby consent to such an association.



Ausey H. Robnett III
OSB No. 79364